

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
TERRE HAUTE DIVISION

| | | |
|------------------------------------------|---|---------------------------|
| JAMES A. SMITH, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | No. 2:19-cv-00257-JPH-MJD |
| |) | |
| RICHARD BROWN Warden Wabash Valley |) | |
| Correctional Facility, |) | |
| FRANK LITTLEJOHN Assistant Warden Wabash |) | |
| Valley Correctional Facility, |) | |
| JERRY SNYDER SCV Unit Team Manager, |) | |
| |) | |
| Defendants. |) | |

ENTRY ON MOTION TO AMEND COMPLAINT

Plaintiff James A. Smith is an inmate at Wabash Valley Correctional Facility. Counsel has appeared on the plaintiff's behalf and seeks leave to amend the complaint. The motion for leave to amend, dkt. [39], is **GRANTED**.

The amended complaint must be screened pursuant to 28 U.S.C. § 1915A(c). The amended complaint names 15 defendants. Mr. Smith alleges that he was confined in long-term segregation without due process and under unconstitutional conditions. He alleges violations of his Fourth, Fifth, Eighth, and Fourteenth Amendment rights. He also brings state law tort claims. These claims **shall proceed** as presented. This screening Entry, however, does not preclude the defendants from filing a motion to dismiss challenging the legal sufficiency of any claims in the amended complaint.

The Court **dismisses all claims brought against John Doe defendants** because "it is pointless to include lists of anonymous defendants in federal court; this type of placeholder does not open the door to relation back under Fed .R. Civ. P. 15, nor can it otherwise help the plaintiff."

Wudtke v. Davel, 128 F.3d 1057, 1060 (7th Cir. 1997) (internal citations omitted). If Mr. Smith learns the identity of additional defendants in the future, he may file a second motion for leave to amend his complaint.

Mr. Smith shall **re-file** the amended complaint and issue process to the defendants not already served.

SO ORDERED.

Date: 4/21/2020

Distribution:

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James Patrick Hanlon
United States District Judge
Southern District of Indiana